

Office of State Procurement Guidelines for: The Request for Proposal Process

General:

The following guidelines developed by the Office of State Procurement are for use in assembling and familiarizing a Request for Proposal (RFP) evaluation committee, but apply equally as well to Request for Qualifications (RFQ) and other procurement actions where an evaluation committee is appropriate to determine the ranking of vendors. The purpose of these guidelines is to help ensure that the committee chairperson and all committee members are thoroughly informed of their responsibilities and understand their obligations. The guidelines emphasize the need to maintain written documentation of the committee's actions and decisions. Finally, following the fundamental steps outlined in this guideline will serve to limit delays that can result from administrative and/or legal actions initiated by respondents. The OSP Buyer and/or the institution or agency procurement staff serves as the primary point of contact to ensure proper procedures are followed in the RFP evaluation process.

Committee Selection:

The selection of evaluation committee members is frequently dictated by decisions that have already been made. The initial step in developing a request for proposal begins with the identification of those individuals who will contribute to writing the scope of work and detailing the technical requirements contained in the proposal. These same individuals also frequently serve as members of the evaluation committee. Generally, the agency or division director should make the decision of which staff members will make up the selection committee. Committees must consist of an uneven number of members so that differences of opinion, when they occur, do not result in a tie vote. The primary objective in the selection of committee members is to ensure that each member is completely impartial with regard to the selection of a provider and has sufficient knowledge of the subject matter to competently evaluate proposals. After the members of the committee have been selected, a chairperson is appointed. The chairperson has the responsibility of coordinating the committee's activities with the Office of State Procurement, the Agency Procurement Official or Procurement Agent at the State agency.

Review of Proposals:

Prior to the evaluation committee assuming its duties, each proposal received and recorded as part of the public bid opening process, is reviewed by the OSP buyer and/or the agency procurement staff to ensure that each contains the essential requirements necessary for the bid to be given further consideration.

These elements should include but are not limited to:

- a. A signed letter of transmittal acknowledging the obligations of any contract awarded in connection with the proposal and affirming that the signature on the letter represents the commitment of the provider to honor the requirements of any such contract.

- b. A signed original of the proposal.
- c. Financial statements.
- d. The required number of copies of the proposal.
- e. Pricing information. (Usually submitted under separate cover)
- f. Required references.
- g. General compliance with the Statement of Work (SOW)

As a general rule, all RFPs should include these elements prior to being given further consideration.

Committee Familiarization:

After the proposals have been reviewed, the committee chairpersons in coordination with the OSP Buyer and/or agency purchasing staff is responsible for scheduling a meeting so that each member of the evaluation committee can be given a copy of each proposal and receive instructions about how the evaluation process will proceed. This initial meeting should include a representative from the OSP and/or the agency procurement staff. Their purpose in attending is to go over the proper procedures in the evaluation process, answer questions and make sure that committee members understand their roles and responsibilities. The chairperson must stress the importance of keeping the work of the committee, including all information about respondents, their proposals and the evaluation process, confidential. To aid in reviewing proposals, the chairperson is responsible for developing an evaluation form to be used as a guide by committee members. The form may include a list of the criteria that was contained in the original solicitation along with the corresponding maximum number of points that can be awarded. The evaluation form may also include a set of questions or statements related to the technical aspects of the proposal. In the process of finding answers to these questions, each committee member should be instructed to carefully read each proposal and note whether the respondent has completely and satisfactorily addressed the requirements. It is important that committee members be advised of the difference between 'mandatory' and 'subjective' responses. Mandatory or absolute requirements are strictly evaluated on the basis of 'pass or fail'. Any proposal that fails to meet a mandatory requirement is eliminated from further consideration. Responses which are 'subjective' (measurable) are awarded points based upon established criteria. Committee member orientation should also stress the importance of awarding points and the need to document in writing the justification for any point deductions. Members should be instructed to carefully review each proposal and make notes of any deficiencies. Committee members should also be instructed to rate each proposal based upon the thoroughness of the response and the understanding the respondent has to the needs expressed in the RFP. Written documentation of the committee's actions is critical to the success of the process. Before the meeting is adjourned, the committee chairperson should announce the time, date and place of the next meeting, and remind members of their responsibility to individually evaluate each proposal and to come prepared to discuss each in detail.

Committee Evaluation:

In subsequent meetings, the Committee Chair must ensure that members have read each proposal. Proposals may be selected at random and reviewed collectively by the entire committee. This process allows each committee member the opportunity to comment, and to have the benefit of hearing what other members of the committee perceive as being the strong and weak points of each proposal. Committee members may amend their individual assessments however; all notes and written determinations made by each member are considered a permanent record of the bid file and must be retained. Occasionally, there will be aspects of a particular proposal that require clarification. In such cases, a phone call placed by an individual on behalf of the committee may suffice. On other occasions it may be necessary to invite a respondent to a committee meeting to answer questions. It is important to ensure that any provider, invited to appear before the committee, understand and acknowledge beforehand that the purpose of the meeting is strictly to allow members of the committee to ask for and receive specific information that will assist in the evaluation process. Detailed notes, including all questions and answers, of any such meeting should be made and retained as a part of the bid file. The role of the OSP buyer and/or the agency procurement staff is to answer questions, provide guidance and ensure the integrity of the process, however, they should not, as a general rule, serve as members of the evaluation committee.

Committee Recommendation:

Once all proposals have been reviewed for technical merit, it is the job of each committee member to submit a score for each proposal and rank each proposal in order of finish. The scores of each committee member are then tallied by the committee chair and averaged to determine the successful respondent and ranking of all other respondents. Many requests for proposals are issued with instructions requiring respondents to submit pricing information in separate sealed envelopes. The purpose of this practice is to maintain the integrity of the evaluation process by allowing the evaluation committee to focus entirely on the technical merits of the proposals. Only after all proposals have been reviewed and evaluated, are pricing schedules exposed. Points for pricing are calculated, based upon a predefined formula, and added to the technical score. Total points determine the order of finish.

Disposition of Records:

All materials including copies and originals of each proposal, committee member notes, determinations, point-awarding schedule and correspondence whether written or electronic is to be kept as permanent documentation in the respective bid file and is subject to those disclosures permitted under the Freedom of Information (FOI). Unmarked copies of each proposal are not required to be kept as part of the bid file. The Office of State Procurement maintains, as a permanent part of the bid file, all evaluation

records of those bids for which we have responsibility. Agency and Institution procurement staff must provide to the OSP Buyer those records necessary to complete the file.

Assistance with the Process:

The OSP staff is always available to provide assistance with the entire RFP process which includes guiding agency staff through the evaluation process. Please call prior to initiating the Procurement process (RFP, RFQ etc). The OSP staff will meet with agency and/or the procurement staff to answer questions and provide guidance on the conduct of the process. It is always a good policy to request assistance prior to initiating a procurement action rather than after mistakes may have been made.

Responsibility of OSP Buyer:

The OSP buyer is the primary point of contact for a procurement process initiated by the Office of State Procurement on behalf of all state agencies and/or institutions of higher education. The OSP buyer is responsible for the timely execution of the process and of ensuring that the solicitation has a clear understandable statement of work, includes appropriate terms and conditions, conforms to the Procurement Law and Regulations, and presents a fair and balanced evaluation process. The buyer is also responsible for conducting the initial evaluation committee orientation meeting and of reviewing the work of the committee to ensure that sound procurement practices are followed. The buyer has full authority to question the findings of the evaluation committee whenever discrepancies are discovered and of requesting additional written detailed information relating to the committee's actions. The OSP buyer must ensure that complete records of the committee's actions are made a permanent part of the bid file. Buyers are required to inform their respective Team Leader and/or Procurement Manager of any issues related to bid solicitations that are contrary to the guidelines established in this policy directive. Team leaders and/or Procurement Managers are responsible for overseeing the process and initiating a final review of the bid prior to award.